

EXHIBIT 6

Student Name R [REDACTED] W [REDACTED] Date 12/13/04D.O.B. [REDACTED] Sex M Race 2 Grade 8 School Shve-MedillAge: 13 State ID#: [REDACTED]Parent/Guardian Name S [REDACTED] W [REDACTED] Phone H [REDACTED]
W [REDACTED]Address: [REDACTED]

ATTENDEES			
SANDRA COUNTLEY	Jean Street	Arrest	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
FREEMAN WILLIAMS	Gina Moody	Pending	<input type="checkbox"/> <input type="checkbox"/>
PHIL KEEFER	Charlene Williams	Court Date	<input type="checkbox"/> <input type="checkbox"/>
R [REDACTED] W [REDACTED]	Coach Vincent Coleman		
S [REDACTED] W [REDACTED]	Coach Dave Carter	Athletic Dir. Neighborhood House	

Reason for Referral Assault upon student

Summary of Meeting 3 Students involved. The victim said something that R [REDACTED] didn't like, and R [REDACTED] punched the young man in his eye. R [REDACTED]'s hand was injured. "Jett pushed R [REDACTED]. A boy hit him in his face. J [REDACTED] looked at him. T [REDACTED] said, he was going to put a death wish on me." "I punched him in his eye."

Attendance: _____ Discipline: _____

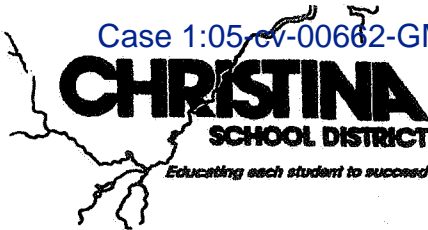
Outside Agencies: Neighborhood 11 West End - basketball team 4 yrs
according to Coach Vincent & Coach Dave Carter; NygusProbation Officer: IsanMedications: Chronic Asthmatic

Student Goals at Alternative Placement _____

Decision making skills ☒Anger management ☒Compliance to rules ☒Socially acceptable behaviors ☒Academic Improvement ☒Home school follow-up (Person) responsible G. MoodyProgram placement recommendation Compass SchoolDate of first review of placement end of 3rd marking periodDate started at alternative program 12/04

11-15-04
Newer fights. This is the first time this has ever happened, Deans in family back to back for last 2 months.
"Death wish incident" had great impact. The boys involved were not friends or his.

EXHIBIT 7



Administration Building 83 East Main Street
Dr. Sandra Countley
Email: countleys@christina.k12.de.us
232-5470

Newark, DE 19711

Phone: (302) 454-2529
FAX: (302) 454-2005
TTD Relay Service: (800)

December 20, 2004

Ms. [REDACTED]
[REDACTED]
[REDACTED]

Dear Ms. W [REDACTED]:

Thank you for attending the alternative placement meeting for Reginald Williams at the Christina School District Office on December 13, 2004. It was a unanimous decision of the placement committee to assign Reginald Williams to the Compass School Alternative Program. Placement will be reviewed at the end of the 2004-2005 school year. *third marking period*

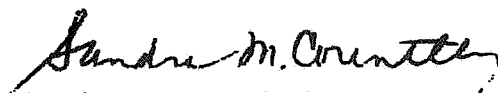
The Compass School will contact you to schedule registering Reginald Williams for the program.

While in the alternative program, Reginald is expected to achieve the following:

- Decision making skills
- Academic improvement
- Socially acceptable behaviors
- Compliance to rules
- Anger management

If you have additional questions, you may contact our office at 454-2529.

Sincerely,


Sandra Countley, Ph.D.
Supervisor of Student Services

Joseph Wise, Superintendent

EXHIBIT 8



Drew Educational Support Center

600 N. Lombard Street
Wilmington, DE 19801

Phone: (302) 552-2629
TTD Relay Service (800) 232-5470

February 28, 2005

Ms. [REDACTED]
[REDACTED]
[REDACTED]

Dear Ms. W [REDACTED]:

Please find enclosed the corrected referral form to The Compass School for your son R [REDACTED] W [REDACTED]. The original form that was sent to The Compass School on December 17, 2004, incorrectly identified your son as having been expelled. R [REDACTED] was Alternatively Placed, not expelled.

We apologize for this error in communication and have corrected all related documents to reflect this correction.

Should you have any questions, please feel free to contact me at 552-2629.

Sincerely,


Trenda Broadnax

Cc: Deborah Rodenhouser
Sharon Denney
Eleanor Ludwigsen

Joseph Wise, Superintendent

The Compass School
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Phone: 322-8512; Fax: 322-8514

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Referral Form

REVISED
DOB

Student Name: [REDACTED]

Student ID Number: [REDACTED] State ID Number: _____

Current Age: 13 Gender: M Race: 2 Current Grade Placement 8

REFERRING SCHOOL INFORMATION:

Sending School: Shaw Middle District: Christburg

Name and Title of School Contact Person: Gene Moody

Telephone: 134 217 8113 Fax: _____ Pager: _____

E-mail: _____@_____

SUSPENSION, ABSENCE, GPA

- ✓ For this calendar school year, year-to-date number of out of school suspensions (i.e., suspended 3 times, 3 days each = 9 days) _____
- ✓ For this calendar school year, year-to-date number of total absences (excluding suspensions) _____
- ✓ Current GPA (core subjects) _____

EDUCATIONAL INFORMATION AND DOCUMENTATION TO BE INCLUDED (check appropriate)

- ☒ Regular Education
 - Student's updated health record, including immunizations
 - Most recent report card, including grades, coursework, and attendance
 - Chronology and/or behavior referrals relating to reason for referral
 - Most recent psycho educational assessment reports
 - Names/numbers for outside agencies student currently involved with
- ☐ Special Education (If student is enrolled in special education program, all appropriate documentation must be attached as per Exceptional Children Division of DOE [1/1/99])
 - Items identified under Regular Education Student
 - Current IEP, goals and objective
 - Notice of Meeting
 - Change in Placement (with Minutes)
 - MDT Minutes
 - Permission to Place (with Minutes)
 - Current psycho-educational assessment and/or psychiatric evaluation (valid within two years)
 - Transition Plan
 - Other Parent Notices
 - Behavior Intervention Plan

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- ☐ Number of suspension days, as of date of referral
- ☐ LD Certification (if applicable)
- ☐ Secondary Exceptionalities (if applicable)
- ☐ Related Services
- ☐ IEP Revision

☐ Is student diagnosed as having Attention Deficit/Hyperactivity Disorder (ADHD)? ____ Yes
☒ No

☐ Does student have 504 Plan ____ Yes ☒ No; If yes, attach

- ☐ Is student Limited English Proficiency (LEP)
- ☐ copy of home language survey
- ☐ English Language Proficiency assessment score
- ☐ testing accommodations/apply to individual student

☐ Does student require medication during school hours ____ Yes ____ No

☐ Is student a choice student ____ Yes ☒ No

REFERRAL INFORMATION

Reason for referral:

Assault upon Student & Conspiracy

Student Expelled: ____ Yes ☒ No

Anticipated Length of stay at TCS: _____

FAMILY INFORMATION

Students resides with (check appropriate):

☒ Mother/Guardian

☐ Father/Guardian

☐ Both reside in same household

Mother/Guardian Name: [REDACTED] Date of birth: ____/____/____

Address: [REDACTED] Apt. Number: _____

Development: _____

City: [REDACTED] Zip Code: _____

Home Telephone: [REDACTED] Day time Telephone: [REDACTED]

E-mail: _____@_____

Father/Guardian Name: _____ Date of birth: ____/____/____

Address: _____ Apt. Number: _____

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Development: _____

City: _____

Zip Code: _____

Home Telephone: _____

Day time Telephone: _____

E-mail: _____@_____

Emergency Contact: _____

Relationship: _____

Address: _____

Apt. Number: _____

Development: _____

City: _____

Zip Code: _____

Home Telephone: _____

Day time Telephone: _____

E-mail: _____@_____

DISTRICT INFORMATION

Name and Title of Contact Person: _____

Emma Moore

Telephone: 1542171 1113 Fax: _____ Pager: _____

E-mail: _____@_____

Implementation of the following has been/is being arranged:

☒ Transportation to/from TCS

☐ Status of free or reduced meals information to appropriate school providing service to TCS

Referral prepared by: Hendri B. Woodruff

Date: 12/17/04

EXHIBIT 9



Administration Building

83 East Main Street
Newark, DE 19711
(302) 454-2530

FAX: (302) 454-4736
TDD Relay Service: (800) 232-5470
e-mail: wisej@christina.k12.de.us

January 27, 2005

S. W. [REDACTED]
[REDACTED]
[REDACTED]

Dear Mrs. W. [REDACTED]

This is to confirm our meeting at my office on Wednesday, January 26, 2005, at which you appealed the District Level decision to alternatively place your son R. W. [REDACTED] at the Compass School following his agreement to plead of guilty to assault of a fellow student at Shue-Medill Middle School. Ms. Sharon Denney was also present at the meeting.

First, I would like to again apologize for the erroneous information Dr. Countley provided you in her letter dated December 20, 2004. As we discussed, the District Discipline Committee's recommendation was for your son, R. W. [REDACTED] to attend The Compass School, *with re-evaluation after his first quarter there*. It was not the Committee's recommendation that he automatically remain at Compass for the balance of the entire school year. Dr. Countley's reference to the school year understandably caused confusion, and that is both regrettable and unfortunate. However, it was not an attempt to circumvent the Committee's recommendation, or in any manner alter it.

Second, you acknowledge that your son punched another student at the Shue-Medill Middle School, causing a head injury that required stitches. You and your son have signed a Family Court agreement for him to plead guilty to criminal assault charges arising from this incident. Yet—despite his guilty plea—you are insisting that he be returned to the very school at which he committed the criminal act. As I understand it, you believe that your son should be returned to Shue-Medill because his initial 5-day suspension was extended an additional 5 days to allow for an Alternative Placement Meeting. You asserted that this extension was a violation of his due process rights. You also asserted that the injured student violated the dress code contained in the Student Code of Conduct. I was only able to conclude that you are asserting an alleged failure to strictly enforce the dress code on the date of the incident prohibits the District from enforcing any other component of the Student Code of Conduct. You are wrong.

Please review page 62 of the Christina School District Student Code of Conduct, under the topic "Suspensions." The Superintendent/Designee is authorized—and exercised the District's right—to extend R. W. [REDACTED] initial suspension from 5 days to 10 days. R. W. [REDACTED] was eligible to

Joseph Wise, Superintendent

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make up missed assignments, and received Homebound instruction because of that eligibility. As for the dress code issue: disparate treatment does not arise from a failure to notice a dress code violation. Although you disagree, there is a distinct difference between wearing inappropriate clothing and punching to the point of injury. If this entire case arose solely from your son wearing inappropriate clothing, I *would* agree that punishing him and not a similarly-garbed child could constitute disparate treatment. But that is not what happened here.

The following is a summary of the events:

- R [REDACTED] punched a child in the face and caused injury at the Shue-Medill Middle School. You do not deny this.
- R [REDACTED] was suspended from school for an initial period of 5 days. You do not deny this.
- The suspension was extended for an additional 5 days as authorized under the Student Code of Conduct (see page 62). R [REDACTED] began to receive Homebound Services.
- R [REDACTED] was entitled to and did receive a Building Level meeting. You do not deny attending this meeting. At this meeting it was recommended that R [REDACTED] be alternatively placed at a site other than the Shue-Medill Middle School.
- R [REDACTED] was entitled to and did receive a District Level appeal/meeting. You do not deny attending this meeting. At that meeting it was unanimously recommended that R [REDACTED] be alternatively placed at the Compass School.
- You agreed to and scheduled a visit to the Compass School, but subsequently cancelled.
- The District continued Homebound Services until you and I could meet yesterday, so that I could hear your concerns as the Superintendent's Designee under *Appeals Process for Suspension* (see page 10 of the Student Code of Conduct).

After reviewing all of the records, and hearing the arguments raised at the January 26, 2005 meeting, the Recommendation for Alternative Placement at the Compass School is hereby affirmed.

R [REDACTED] Homebound Services will end tomorrow. In accordance with the Appeal Process for Suspensions and Grievance Procedures of the Student Code of Conduct, this decision is final, with no additional right of administrative appeal (See pages 10 and 12 of the Student Code of Conduct).

Your refusal to visit the Compass School—and your rejection of any option other than the return of R [REDACTED] to the Shue-Medill Middle School—is profoundly troubling. It is important that R [REDACTED] receive an education. It is also important that you and this District work together to ensure he receives the right messages from the adults entrusted with his care. Please contact Ms. Denney (454-2535) so that she may make the necessary arrangements to get R [REDACTED] back in school.

Sincerely,


David Sundstrom
Assistant Superintendent/Chief of Staff

DMS:jsg

Joseph Wise, Superintendent

EXHIBIT 10



Administration Building

83 East Main Street
Newark, DE 19711
(302) 454-2571

FAX: (302) 454-4736
TDD Relay Service: (800) 232-5470
e-mail: wisej1@christina.k12.de.us

February 10, 2005

Mr. Jea Street
Executive Director
Hilltop Lutheran Neighborhood Center
1018 West 6th Street
Wilmington, DE 19805

RE: Shue-Medill Student; Due Process

Dear Mr. Street:

Mrs. Phillips, President of the Christina School Board, has asked me once again to look into the issues you have raised in your most recent letter—apparently addressed this time to each individual Board member—regarding the alternative placement of **Robert W. [REDACTED]** a student at Shue-Medill Middle School. As you recall, the student has executed a plea agreement (also signed by his mother), admitting guilt for a criminal assault at the Shue-Medill Middle School that resulted in a head wound to another student while that student was in class. Here's what our records show:

- A hearing was held December 2, 2004 at the Building Level.
- A hearing was held at the District Level on December 13, 2004—a *hearing at which you personally appeared and represented the young man.*
- At that December 13th hearing, you acknowledged in the presence of witnesses that the District was well within its rights to alternatively place the student, but that you were advocating that the District consider other alternatives. Following a unanimous recommendation for alternative placement at that hearing, you subsequently met individually with Dr. Sandra Countley of this District, and negotiated a possible alternative placement at the Kirk Middle School.
- Unfortunately, the student's mother ultimately rejected this option, despite your recommendation.
- The mother of the young man subsequently contacted the District for review of the unanimous recommendation for alternative placement, and in accordance with the Student Code of Conduct, I conducted that review as the Superintendent's Designee with the mother. Also present was Ms. Sharon Denney.

I'm sorry if you were under the mistaken belief that some sort of legal, ethical, or administrative obligation existed that compelled me to invite you to a conference with a parent that the parent had requested and received. Had she herself invited you, I definitely would have welcomed your presence. But to assert that my failure to extend to you an invitation demonstrates "unmitigated gull [sic]" is a bit over the top. I have legal obligations relating to the mother's confidentiality and privacy rights, and I was operating under the belief that had she wanted to bring any other person, she would have — as she has in the past.

I've reprinted my prior response to your prior allegations on the attached page. I think it's regrettable that this matter has become so adversarial. And I think that lost in all our talk is one fundamental: what is to happen to this student if we fail to hold him accountable for his actions, which he admirably acknowledged committing?

Give me a call if you'd like to talk. I think we need to.

Regards,

David M. Sundstrom

Joseph Wise, Superintendent